

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA

2:08cv113-F

AFFIDAVIT IN SUPPORT OF REQUEST TO PROCEED  
IN FORMA PAUPERIS

ALJAY LOCKETT JR.,

Plaintiff(s)

v.

WARDEN MITCHEM ET AL

Defendant(s)

I, ALJAY LOCKETT JR.,, being first duly sworn, depose and say that I am the plaintiff in the above case; that in support of my motion to proceed without being required to prepay fees, costs, or give security therefor. I state that because of my poverty I am unable to pay the costs of said proceedings or to give security therefor; that I believe I am entitled to relief. I recognize that I may be prosecuted for any false statement which I may make herein.

I further swear that the responses which I have made to questions and instructions below are true.

1. Are you presently employed? Yes ( ) No ☒ X
  - A. If the answer is YES, state the amount of your salary or wages per month, and give the name and address of your employer. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - B. If the answer is NO, state the date of last employment and the amount of salary or wages per month, and give the name and address of your employer. \_\_\_\_\_  
N/A  
\_\_\_\_\_  
\_\_\_\_\_
2. Have you received within the past twelve months and money from any of the following sources?
  - A. Business, profession, or form of self-employment? Yes ( ) No ☒ X
  - B. Rent payments, interest, or dividends? Yes ( ) No ☒ X
  - C. Pensions, annuities, or life insurance payments? Yes ( ) No ☒ X
  - D. Gifts or inheritances? Yes ( ) No ☒ X
  - E. Any other sources? Yes ( ) No ☒ X

If the answer to any of the above is YES, describe each source of money and state the amount received from each during the past twelve months. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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3. Do you own cash, or do you have money in a checking or savings account?  
Yes ( ), No X (Include any funds in prison accounts.)  
If the answer is "yes", state the total value of the items owned: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)?  
Yes ( ) No X  
If the answer is "yes", describe the property and state its approximate value: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support: \_\_\_\_\_  
FAMILY MEMBER'S  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on 11-27-07 (date).

Alay Lockett 133930  
Signature of Petitioner

CERTIFICATE

I hereby certify that the petitioner herein has the sum of \$ \_\_\_\_\_ on account to his credit at the \_\_\_\_\_ institution where he is confined. I further certify that the petitioner likewise had the following securities to his credit according to the records of said \_\_\_\_\_ institution: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Authorized Officer of Institution

**INFORMATION REGARDING PRISONER ACCOUNTS**

The Prison Litigation Reform Act, Pub. L. No. 104-134, §804, requires a prisoner seeking to proceed *in forma pauperis* to submit information regarding his prison or jail trust account for the six months preceding the filing of the complaint. This information must be obtained from the appropriate official of each prison or institution at which the prisoner is or was confined within the past six months. This information **must** be certified by prison or jail personnel and **must** include both the total deposits made by the prisoner's account each and every month for the preceding six months and the average monthly balance in the account each and every month during the preceding six months. Information for **six full months** must be provided.

**CERTIFICATION**

I hereby certify that prisoner AL. J. Lockett has been incarcerated in this institution since 3/15, 2005 and that he has the sum of \$ 0.20 in his prison or jail trust account on this the 29<sup>th</sup> day of November 2007. I further certify that the information provided below is true and correct.

	Month/Year	Total Deposits Received	Average Account Balance
Month 1	<u>May 2007</u>	\$ <u>0.00</u>	\$ <u>.09</u>
Month 2	<u>Jun 2007</u>	\$ <u>6.40</u>	\$ <u>.30</u>
Month 3	<u>Jul. 2007</u>	\$ <u>20.00</u>	\$ <u>.22</u>
Month 4	<u>Aug. 2007</u>	\$ <u>2.00</u>	\$ <u>.35</u>
Month 5	<u>Sep. 2007</u>	\$ <u>8.40</u>	\$ <u>1.07</u>
Month 6	<u>Oct. 2007</u>	\$ <u>42.00</u>	\$ <u>1.70</u>
Current Month (if less than a full month)	<u>Nov. 2007</u>	\$ <u>26.60</u>	\$ <u>3.44</u>

Burns Burnett LCF 11/29/07  
Signature of Authorized Officer of Institution

LCF  
Name of Institution

STATE OF ALABAMA  
DEPARTMENT OF CORRECTIONS  
LIMESTONE CORECTIONAL FACILITY

AIS #: 133930

NAME: LOCKETT, AL J.

AS OF: 11/29/2007

MONTH	# OF DAYS	AVG DAILY BALANCE	MONTHLY DEPOSITS
NOV	1	\$0.07	\$0.00
DEC	31	\$0.07	\$0.00
JAN	31	\$2.30	\$10.00
FEB	28	\$0.11	\$0.00
MAR	31	\$4.07	\$42.00
APR	30	\$0.33	\$0.00
MAY	31	\$0.09	\$0.00
JUN	30	\$0.30	\$6.40
JUL	31	\$0.22	\$20.00
AUG	31	\$0.35	\$2.00
SEP	30	\$1.07	\$8.40
OCT	31	\$1.70	\$42.00
NOV	29	\$3.44	\$26.00